

HECTOR GARCIA, JR., #1588679	§	
VS.	§	CIVIL ACTION NO. 4:11cv558
S. KENNINGTON, ET AL.	§	

On September 26, 2012, a Fourth Report and Recommendation was issued regarding the disposition of the lawsuit. Since then, the parties consented to the undersigned presiding over the jury trial. No objections were filed to the Fourth Report and Recommendation, thus it is adopted by the Court. It is accordingly

ORDERED that Defendant Kennington’s motion for summary judgment (docket entry #60) is **GRANTED**, in part, and **DENIED**, in part. The motion for summary judgment is **GRANTED** to the extent that the Plaintiff has sued Kennington in her official capacity for damages and **DENIED** in all other respects. It is finally

SIGNED this 10th day of December, 2012.

Amos Mazzant
AMOS L. MAZZANT
UNITED STATES MAGISTRATE JUDGE